

**IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF TEXAS  
DEL RIO DIVISION**

OSCAR ORONA IANF of N.O., a minor,  
CRISTINA OLIVAREZ IANF of K.O., a  
minor, and AGELICA RODRIGUEZ  
IANF of L.G., a minor, JOSE FLORES,  
Individually and as Representative of the  
Estate of J.F., Jr., deceased; MANUEL  
LOZANO, Individually, LYLIANA  
GARCIA, Individually, ALJANDRO  
GARCIA, Individually and as Representa-  
tive of Estate of Irma Garcia, deceased;  
and ELSA AVILA

Plaintiffs

vs.

CHRISTOPHER KINDELL, an individ-  
ual, VICTOR ESCALON, an individual,  
JOEL BETANCOURT, an individual,  
JUAN MALDONADO, an individual;  
CRIMSON ELIZONDO, an individual;  
RICHARD BOGDANSKI, an individual;  
LUKE WILLIAMS, an individual;  
UVALDE CONSOLIDATED INDE-  
PENDENT SCHOOL DISTRICT  
AND/OR UCISD POLICE DEPART-  
MENT; PEDRO "PETE" ARREDONDO,  
an individual; ADRIAN GONZALES, an  
individual; MANDY GUTIERREZ, an in-  
dividual; JESUS "J.J." SUAREZ, an indi-  
vidual; TEXAS DEPARTMENT OF  
PUBLIC SAFETY DOES 1-84; and  
MOTOROLA SOLUTIONS, INC.

Defendants

Case No. 2:24-cv-00049

**PLAINTIFFS' NOTICE OF DIS-  
MISSAL OF DEFENDANT  
MANDY GUTIERREZ**

**PLAINTIFFS' NOTICE OF DISMISSAL OF  
DEFENDANT MANDY GUTIERREZ**

TO CHIEF UNITED STATES DISTRICT JUDGE ALIA MOSES:

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs file this Notice of Dismissal as to their claims against Defendant Mandy Gutierrez only, and in support thereof, would respectfully show as follows:

I.1. Plaintiffs instituted this action by filing their Original Complaint on May 23, 2024. ECF No. 1.

I.2. Plaintiffs asserted claims and causes of action against seven individual Defendants and 84 John Doe Defendants who are associated with the Texas Department of Public Safety. ECF No. 4 at 13–18, 63–75 (1st Amend. Compl.). Plaintiffs also asserted claims against the Uvalde Consolidated Independent School District and three individual Defendants who are associated with the District’s Police Department. *Id.* Further, Plaintiffs asserted claims and causes of action against Motorola Solutions, Inc. *Id.*

I.3. Plaintiffs no longer wish to prosecute their claims and causes of action against Defendant Mandy Gutierrez. Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure permits plaintiffs to dismiss causes of action against a defendant without a court order by filing a notice of dismissal before Defendant Mandy Gutierrez serves either an answer or motion for summary judgment. *See* Fed. R. Civ. P. 41(a)(1)(A)(i).

I.4. As of the date of this Notice, Defendant Mandy Gutierrez has not filed an answer or motion for summary judgment.

I.5. Plaintiffs intend for their dismissal of Mandy Gutierrez to be a dismissal without prejudice. *See* Fed. R. Civ. P. 41(a)(1)(B); *United States v. Eli Lilly & Co., Inc.*, 4 F.4th 255, 261 (5th Cir. 2021).

Respectfully Submitted,



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Attorneys for Plaintiffs

### **CERTIFICATE OF SERVICE**

I hereby certify that on the Tue day of July 2024, I electronically filed the foregoing document with the Clerk of the Court through the ECF system and an email notice of the electronic filing was sent to all attorneys of record.



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